

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

<b>IN RE:</b>	)	
	)	
<b>STEPHEN J. SCALESE</b>	)	<b>Chapter 11</b>
	)	<b>Case No. 09-12952-HJB</b>
<b>DEBTOR</b>	)	
	)	

**NON-ADVERSARIAL MOTION TO  
APPROVE NON-MATERIAL PLAN MODIFICATION**

To the Honorable Henry J. Boroff:

Stephen J. Scalese, Debtor-in-Possession (the "Debtor") in the above-named case moves this Court to permit him to modify Plan of Reorganization and Disclosure Statement for Individual Chapter 11 Debtor and in support hereof respectfully represents:

1. On April 3, 2009, the Debtor filed his Chapter 11 petition herein.
2. On May 20, 2009, the Debtor filed his Plan of Reorganization and Disclosure Statement for Chapter 11 Individual Debtor.
3. On June 30, 2009, the secured creditor, GreenPoint Mortgage Funding, Inc. filed an Objection to Confirmation. Since that time the Debtor and GreenPoint have negotiated and reached a resolution of the claim and treatment under the Plan. The Debtor has attached hereto as Exhibit A the proposed modified treatment of the Class Five Claimant.
4. The secured creditor, GreenPoint Mortgage Funding, Inc. has voted in favor of the Plan, as modified as evidenced by the Ballot annexed hereto as Exhibit B.

WHEREFORE, the Debtors pray that the Court allow the Debtor to modify the treatment of the Class Five claim in the Plan of Reorganization and grant them such other and further relief as this Court deems just and proper.

Respectfully submitted,  
Stephen J. Scalese,  
By his attorney,

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